



OPERATIONS ORDER

SUBJECT: PILOT PROGRAM - STARCHASE GPS TRACKING SYSTEM FOR UNIFORMED MEMBERS OF THE SERVICE ASSIGNED TO THE PATROL SERVICES BUREAU COMMUNITY RESPONSE TEAM, OFFICE OF THE CHIEF OF DEPARTMENT, AND PATROL BOROUGH QUEENS SOUTH PUBLIC SAFETY TEAM

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1. The Department, in an effort to reduce the frequency of vehicle pursuits, has implemented a pilot program using specialized Global Positioning System (GPS) tracking equipment by StarChase LLC for select uniformed members of the service assigned to the Patrol Services Bureau Community Response Team, Office of the Chief of Department, and Patrol Borough Queens South Public Safety Team. The StarChase system provides a means to remotely track a vehicle by attaching a GPS enabled device by launching the device through either a vehicle-mounted or handheld unit.

2. Therefore, effective immediately, when a uniformed member of the service assigned to the Patrol Services Bureau Community Response Team, Office of the Chief of Department, or Patrol Borough Queens South Public Safety Team is to use StarChase GPS tracking equipment, the following procedure will be complied with:

PURPOSE

To provide guidelines to uniformed members of the service in the use of StarChase Global Positioning System (GPS) tracking devices.

SCOPE

StarChase may only be utilized by uniformed members of the service trained in its use when there is probable cause to believe that a vehicle, or an occupant of a vehicle, is connected to, or has committed, one or more of the following crimes and a vehicle pursuit is authorized:

- a. Any crime where death has resulted (e.g., homicide, leaving scene of collision where a fatality occurs, etc.),
- b. Robbery,
- c. Burglary,
- d. Felony Assault,
- e. Criminal Possession of a Firearm,
- f. Criminal Possession of a Weapon (felony),
- g. Reckless Endangerment (i.e., involving a firearm or caused by manner in which individual is operating vehicle, etc.),
- h. Reckless Driving where an individual has placed persons or property in danger and failed to, or refused to, comply with any lawful order or direction of any police officer, and/or
- i. Any vehicle that has been reported stolen.

DEFINITION STARCHASE EQUIPMENT - A vehicle mounted GPS launcher unit (StarChase Guardian VX System), handheld GPS launcher unit (StarChase Guardian HX System), or a web-based mapping platform that allows the tracking of a target vehicle with a projectile device connected (StarChase Coreview Mapping Platform).

PROCEDURE When a uniformed member of the service is assigned to a Department vehicle equipped with StarChase equipment:

INSPECTION AND DOCUMENTATION OF STARCHASE EQUIPMENT:

UNIFORMED MEMBER OF THE SERVICE CONCERNED

1. Inspect StarChase equipment at beginning of tour.
 - a. Notify immediate supervisor if StarChase equipment is damaged or becomes inoperable at any point during tour, or of any unintentional discharge of StarChase equipment.
 - b. Document results of inspection and/or notification to immediate supervisor in digital Activity Log.

IMMEDIATE SUPERVISOR

2. Notify Office of the Chief of Department regarding:
 - a. Damaged StarChase equipment,
 - b. Request for additional projectiles, and/or
 - c. Any unintentional discharge of StarChase equipment.
3. Prepare a report on **Typed Letterhead** detailing circumstances of unintentional discharge and forward to Office of the Chief of Department.

DEPLOYMENT OF STARCHASE DEVICE:

UNIFORMED MEMBER OF THE SERVICE CONCERNED

4. Comply with *P.G. 221-15, "Vehicle Pursuits,"* as required.
 - a. Do not engage in vehicle pursuit solely for the purpose of deploying a StarChase device.

NOTE *A uniformed member of the service must be able to articulate probable cause that a vehicle or its occupants have been involved in a crime specified in the "SCOPE" statement prior to deploying StarChase equipment, either through direct observation of the specified crime, direct communication from another uniformed member of the service, or prior investigative knowledge.*

In addition, StarChase equipment should not be used if conditions are unsafe, or probable cause does not exist for deployment.

5. Notify, immediately, upon StarChase equipment deployment:
 - a. Citywide 4 radio dispatcher, and
 - b. Operations Unit via telephone notification, when safe to do so.

NOTE

The Department has a sharing agreement with the [REDACTED] with respect to StarChase projectile tracking. The agreement allows the Department to see [REDACTED] StarChase projectiles when in use and for [REDACTED] to see when this Department uses StarChase projectiles. Therefore, it is imperative that a notification be made to the Operations Unit when a StarChase projectile is deployed or if any member of the service is notified that another agency is tracking a vehicle using StarChase within the confines of New York City.

In order to avoid communication delays and confusion across multiple radio frequencies, the Citywide 4 radio dispatcher will serve as the primary dispatcher for any police action involving StarChase equipment deployment. The Department vehicle recorder will monitor and transmit over Citywide 4 to assist in tracking and apprehension efforts. Any deployment of StarChase equipment from a handheld unit will be performed only by the recorder in accordance with all safety protocols (e.g., wearing of a seatbelt, etc.).

**UNIFORMED
MEMBER OF
THE SERVICE
CONCERNED
(continued)**

6. Transmit vehicle description, license plate, direction of travel, number of occupants and type of offense.
7. Request Aviation Unit to assist with tracking of target vehicle, if necessary.
8. Self-terminate vehicle pursuit upon successful deployment of StarChase equipment.
 - a. Transmit termination of pursuit over Citywide 4 and division radio.

**PATROL
SUPERVISOR/
IMMEDIATE
SUPERVISOR
CONCERNED**

9. Monitor and direct pursuit and apprehension effort as per *P.G. 221-15, "Vehicle Pursuits."*
10. Designate uniformed member of the service, other than member who deployed StarChase equipment, to become primary monitor of target vehicle and provide location updates, if Operations Unit is unable to monitor location of tagged vehicle.

NOTE

If a vehicle pursuit is initiated by, or StarChase equipment is deployed by, other than Patrol Services Bureau personnel, the immediate supervisor of the concerned uniformed members of the service will perform the duties of the patrol supervisor. In the event that the initiating and deploying uniformed member of the service differ, the immediate supervisor of the uniformed member of the service initiating the pursuit will perform the duties of the patrol supervisor. The Operations Unit will notify the jurisdiction concerned for vehicle pursuits that leave the confines of New York City.

**CITYWIDE
RADIO
DISPATCHER,
COMMUN-
ICATIONS
SECTION**

11. Notify Communication Section platoon commander/uniformed supervisor of pursuit.
12. Direct other units to assist pursuing Department vehicles as directed by patrol supervisor/immediate supervisor.
 - a. Transmit vehicle description, license plate, direction of travel, number of occupants and type of offense.

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13. Terminate vehicle pursuit upon confirmation of successful StarChase device deployment.

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14. Comply with *P.G. 212-75, "Search Warrant Applications,"* and *P.G. 218-19, "Invoicing Vehicles/Property as Arrest/Investigatory Evidence or for Forfeiture Proceedings or to Determine True Owner,"* as required, if vehicle tagged with StarChase device is located.
15. Request Evidence Collection Team (ECT) concerned to recover any StarChase device still attached to a target vehicle.
 - a. Invoice recovered StarChase device as "Investigatory" evidence.

NOTE

Recovery of a StarChase device by ECT is not necessary when the device does not attach to a subject vehicle (e.g., deployment misses vehicle, attaches to another vehicle, etc.).

**PATROL
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IMMEDIATE
SUPERVISOR
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16. Comply with *P.G. 221-03, "Reporting and Investigation of Force Incident or Injury to Persons During Police Action,"* if any member of the service, subject, civilian, non-Department member or bystander sustains an injury from being struck by StarChase equipment during course of police action.

DOCUMENTATION OF STARCHASE EQUIPMENT USE:

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17. Document deployment of StarChase device and results in narrative section of **VEHICLE PURSUIT REPORT (PD371-153)**, if applicable.
18. Document deployment of StarChase device in digital **Activity Log**.
19. Notify Operations Unit of results of deployment.

**ADDITIONAL
DATA**

If a uniformed member of the service operating a non-StarChase equipped Department vehicle is investigating a vehicle that meets the criteria for a StarChase deployment, and they have reasonable belief that the vehicle will flee if they attempt to stop it, they should ascertain the location of the nearest StarChase equipped Department vehicle through the Operations Unit. If a StarChase equipped Department vehicle can respond, no attempt will be made to stop the vehicle until a StarChase equipped Department vehicle arrives, unless exigent circumstances develop. A pursuit that would be otherwise terminated should not be allowed to continue solely because a StarChase equipped Department vehicle is en route.

If a pursuit is initiated by a uniformed member of the service operating a Department vehicle that is not equipped with StarChase, a supervisor should request the response of a StarChase equipped Department vehicle through the Operations Unit. The StarChase equipped Department vehicle should respond to the location of the pursuit, if possible. The StarChase equipped Department vehicle should safely become the primary vehicle in the pursuit in order to deploy the device.

**ADDITIONAL
DATA
(continued)**

LEGAL CONSIDERATIONS

If a uniformed member of the service deploys StarChase equipment on a moving vehicle after they have probable cause to believe that a vehicle is or was involved in the commission of a crime specified in the "SCOPE" statement, the warrantless tracking of that vehicle through GPS capabilities of StarChase is allowable due to exigency and close pursuit. However, those exceptions to the search warrant requirement do not allow for vehicles to be tracked indefinitely. Uniformed members of the service are reminded to contact the Legal Bureau, when feasible, to obtain assistance in determining when a search warrant is necessary to continue tracking or searching for a subject vehicle.

If uniformed members of the service are unable to locate the StarChase tagged vehicle after a reasonable amount of time after deploying the StarChase device, they must obtain a search warrant to continue tracking the vehicle's location through GPS. The factors that determine what constitutes a reasonable amount of time to track a vehicle's location without a warrant are numerous and unique to each situation. Additionally, if uniformed members of the service recover the tagged vehicle after they are no longer in continuous pursuit of that vehicle, it may be necessary to obtain a search warrant in order to search the vehicle or to seize the vehicle from private property. Uniformed members of the service should consult with the Legal Bureau if they are unsure whether a search warrant is necessary.

Uniformed members of the service who search a tagged vehicle without a warrant must be able to articulate a valid exception to the search warrant requirement.

In close pursuit cases involving a misdemeanor or lesser offense, a suspect may flee into a private residence. In such cases, pursuing uniformed members of the service must consider the totality of the circumstances before following a suspect into a private residence, including the nature of the crime, the nature of flight, and other surrounding facts. In all close pursuit circumstances involving a misdemeanor or lesser offense, if there is time to secure a warrant prior to entering the private residence, the uniformed member of the service must do so. However, if there is insufficient time to secure a warrant and the circumstances of the close pursuit suggest that entry is necessary to prevent imminent injury, destruction of evidence, escape by the suspect, or if there are other exigent circumstances, the involved uniformed member of the service may pursue the suspect into a private residence.

3. Commanding officers will ensure that the contents of this Order are brought to the attention of members of their commands.

BY DIRECTION OF THE POLICE COMMISSIONER

**DISTRIBUTION
All Commands**